

REMARKS

Appended to this response is an Appointment of Associate Attorney along with a change of correspondence address to customer number 29683. The entry of this data into the file jacket is respectfully requested.

Paragraph [00049] has been amended to include the corrections noted by the Examiner.

The mobile station references in paragraphs [00077] and [00079] has been cured by amending the drawing figures. The entry of the attached drawing amendment, and the corresponding revised formal drawings, is respectfully requested.

The original text of duplicate claim 19 has been deleted, and replaced with new text drawn to a further aspect of this invention.

The Examiner is thanked for his careful reading of this patent application, and for pointing these errors out to the Applicants.

In addition, the dependency of claim 22 has been corrected so that it now depends from claim 21, not claim 19, as there was no support in claim 19 as filed for "average acceleration". As a result, the application of the Hess et al. reference under 35 U.S.C. 102(e) should no longer be appropriate.

Appended to this response is a Supplemental Information Disclosure Statement and the fee specified by 37 C.F.R. 1.97(c) and 37 C.F.R. 1.17(p). The IDS makes of record commonly assigned U.S. Patent 6,067,460 (Seppo Alanara et al.) Note, for example, the motion sensor (e.g., accelerometer) 36 in Fig. 1 coupled to the mobile station controller 18, and note as well, for example, col. 7, lines 48-67, and col. 9, lines 3-10. The Examiner is respectfully requested to consider the enclosed commonly assigned U.S. Patent 6,067,460, and to make same of record in this patent application.

Claims 2, 3 and 9-13 were objected to and were said to be allowable. In response, claim 1 was amended above to incorporate the subject matter of claim 2, claim 2 was cancelled, and the dependencies of claims 3-13 were adjusted as needed. As a result, claims 1 and 3-13 should all be found to be allowable.

Turning now to the prior art rejections of claims 14-27, based variously under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) on Hardouin, Hess, Bowen, Nichols, Matsuda and Kim, it is first pointed out that none of the prior art cited by the Examiner describes the control of an "entity" *per se*, as recited in independent claim 14.

In any event, claim 14 has been clarified by amendment to state that the entity is responsive to "a plurality of commands for eliciting a plurality of entity functions", and to further state that the method includes:

"detecting an acceleration vector of a proprioceptive sensor; and
transmitting a message through the at least one wireless transceiver based on the
acceleration vector, the message comprising at least one instruction that governs
behavior of the entity." (emphasis added)

Support for this amendment can be found, for example, generally at paragraphs [00063] to [00065], and no new matter is added.

Clearly, neither the velocity-based call inhibiting system of Hardouin or the motion-based data input interface of commonly-assigned Hess et al. expressly disclose or suggest the subject matter found in claim 14 as clarified by amendment, and thus claim 14, and claims 15-19, should all be found to be allowable. Note further in this regard that re-written claim 19 recites in part that the "message is used to control movement of an entity in another device". Support for this amendment can be found, as an example, generally in paragraphs [00083] and [00084], and no new matter is added.

The independent method claim 20 has also been clarified so that it now recites that the method

to send a feedback contextual response to a calling device includes:

"detecting at least one acceleration during a time interval, where the detected at least one acceleration is indicative of an orientation of a mobile station in three dimensional space;
detecting an incoming signal from a calling device;
selecting an announcement based on the orientation of the mobile station; and
transmitting the announcement." (emphasis added)

Support for this amendment can be found generally in paragraph [00073] as well as in Table 2, and no new matter is added. The prior art of record is not seen to expressly disclose or suggest a determination of mobile station orientation and the use of the orientation to select an announcement. In that claim 20 is clearly allowable, then dependent claims 21-27 are also clearly allowable.

The Examiner is respectfully requested to reconsider and remove the rejections of claims 1 and 3-27, as now clarified by amendment and presented for examination, and to issue an early notification of allowability.

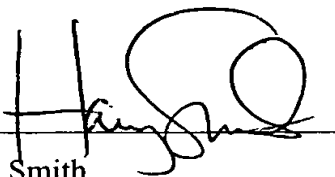
As a part of this response claims 28-39 are newly added. Support for claims 28-31 and 34-37 can be found, as an example, generally in paragraphs [00084] to [00086], and in Figs. 1 and 7, while support for newly added claims 32, 33, 38 and 39 can be found, for example, in paragraph [00073], and in Fig. 1. The newly added claims 28-39 are also deemed to be allowable over the prior art that was cited and applied by the Examiner, and an early indication of the allowance of claims 28-39 is also earnestly solicited.

The undersigned attorney can be contacted at the numbers appearing below should any issue related to the allowance of the pending claims remain unresolved to the full satisfaction of the Examiner.

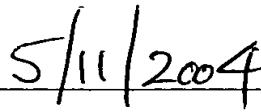


N. 09/834,197
Art Unit: 2682

Respectfully submitted:



Harry F. Smith



Date

Reg. No.: 32,493

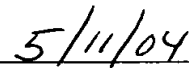
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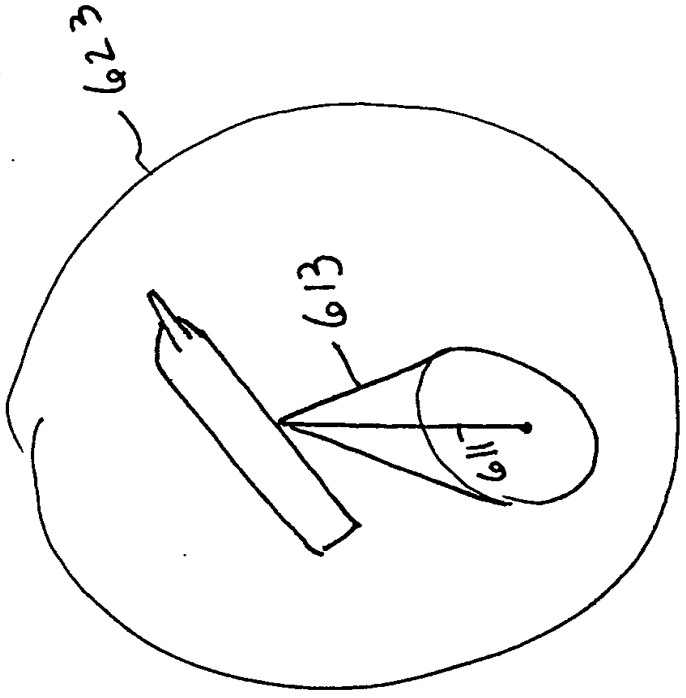


Fig. ~~6d~~
6c

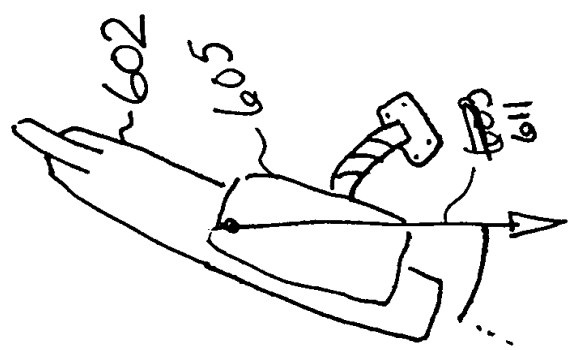


Fig. 6b

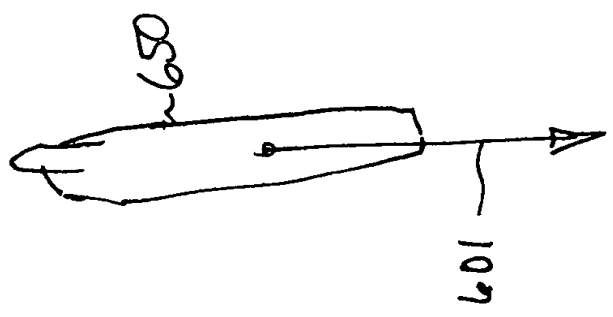


Fig. 6a